

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

FRIENDS OF THE FLORIDAS; NEW MEXICO
WILDERNESS ALLIANCE; WILDEARTH
GUARDIANS; GILA RESOURCES
INFORMATION PROJECT; AMIGOS BRAVOS;

Plaintiffs,

vs.

No. CIV 20-0924 JB/GBW

UNITED STATES BUREAU OF LAND
MANAGEMENT; WILLIAM CHILDRESS,
in his official capacity as District Manager of the
BLM Las Cruces District Office;
DAVID WALLACE, in his official capacity as
Assistant District Manager of the BLM Las Cruces
District Office;

Defendants,

AMERICAN MAGNESIUM, LLC;

Defendant-Intervenor.

ORDER

THIS MATTER came before the Court on the parties' Joint Motion to Vacate Rule 16 Conference and Set a Briefing Schedule for the Merits. The Court finds the Motion is well-taken, and GRANTS the Motion. The Scheduling Conference set for July 6, 2022 is VACATED.

IT IS ORDERED that the following schedule will govern this case. This schedule is dependent on this Court's resolution of Plaintiffs' Motion to Compel Production of a Complete Administrative Record (Doc. 26), which is scheduled for a hearing on July 6, 2022.

1. If this Court grants in whole or in part Plaintiffs' Motion on the Record, Federal Defendants shall serve the revised administrative record in compliance with the Court's order on the Parties and lodge same with the Court no later than 45 days after the Court rules on Plaintiffs'

Motion. The documents in the administrative record shall be produced in pdf format and served on the Parties and lodged with the Court on a computer thumb drive.

2. Plaintiffs may challenge the Federal Defendants' compliance with this Court's order on the Motion on the Record and the revised administrative record. Federal Defendants reserve the right to oppose such challenge. Plaintiffs shall confer with Federal Defendants on any disputes regarding the revised administrative record within 21 days of Plaintiffs' receipt of the revised record. Any challenge to the revised record shall be filed within 40 days of Plaintiffs' receipt of the revised record. Any disputes not raised by motion by this deadline will be deemed to have been waived.

3. Plaintiffs shall file their opening brief 45 days from receipt of the revised administrative record, or 45 days from this Court's resolution of Plaintiffs' challenge to the revised record (if such a challenge is filed).

4. If this Court denies Plaintiffs' Motion on the Record, Plaintiffs shall file their opening brief within 45 days of this Court's ruling on Plaintiffs' Motion on the Record.

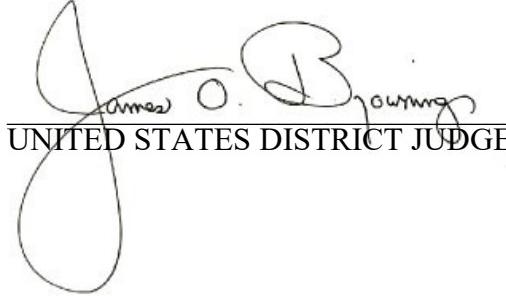
5. Federal Defendants shall file their response brief 45 days from the filing of Plaintiffs' opening brief.

6. Intervenor Defendant shall file its response brief fourteen (14) days after the filing of Federal Defendants' response brief.

7. Plaintiffs shall file its reply brief 30 days from the filing of Intervenor Defendant's response brief.

8. The length of the Parties' briefs on the merits shall be consistent with Federal Rule of Appellate Procedure 32(a)(7)(b); except that Plaintiffs shall be permitted to file a single consolidated reply brief of up to 8,000 words.

IT IS SO ORDERED.



James O. B. Gwynne
UNITED STATES DISTRICT JUDGE